



2911 Second Avenue P.O. Box C-34201 Seattle, Washington 98124 206-583-2300 Telex: 32-0215

April 30, 1984 (Dictated 4/26/84)

Department of The Army Seattle District Corps of Engineers P. O. Box C-3755 Seattle, WA 98124

Attention:

Regulatory Functions Branch

Re:

071-OYB-4009379-C William C. Nelson

Gentlemen:

In response to your April 27, 984 letter, we will do no filling on wetlands adjacent to Evans Creek. We have started to develop the information you requested. However, I leave for Alaska Monday, 30 April, 1984. I will return by the week beginning 8 May, 1984 and will give you a progress report at that time.

Sincerely,

William C. Nelson

WCN/rmb



May 10, 1984

2911 Second Avenue P.O. Box C-34201 Seattle, Washington 98124 206-583-2300 Telex: 32-0215

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The property ownership is in the name of William C. and Barbara J. Nelson. There has been no construction. The primary purpose of the fill is to continue the farming operation. A substantial portion of our property is fenced. We are commercial breeders of thoroughbred race horses and Polled Herefords. We have approximately 30 horses and about 70 head of cattle. We employ three full time people. We have farmed this property on a continuous basis. Different people have brought fill to us through the years.

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In that I am going to again be away for approximately three weeks, it is my thought to bring the engineer we select directly to Mike Bowlus so that they can work together and you can obtain the information you desire.

Sincerely,

William C. Nelson

WCN/rmb

Insurance

Surety Bonds

Concultante



2911 Second Avenue P.O. Box C-34201 Seattle, Washington 98124 206-583-2300 Telex: 32-0215

May 21, 1984

Mr. Michael L. Bowlus U. S. Army Corps of Engineers Seattle District P. O. Box C-3755 Seattle, Wa. 98124

Dear Mr. Bowlus:

I appreciated the time you spent with me on May 17, 1984. I have contacted Sue Japhet. She is not aware of anyone who could help us with our sketch but she will give it some thought and get back to me in a few days.

I will keep you informed on our progress.

Sincerely,

William C. Nelson

WCN:lev

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Surety Bonds

Consultants



2911 Second Avenue P.O. Box C-34201 Seattle, Washington 98124 206-583-2300 Telex: 32-0215

June 11, 1984

Mr. Michael L. Bowlus U. S. Army Corps of Engineers Seattle District P. O. Box C-3755 Seattle, Wa. 98124

Dear Mr. Bowlus:

RE: 20031 N. E. 80th Redmond, Wa. 98052

I've met with Mr. Marc Boule and Mr. Ken Raedeke in order to develop a restoration plan for the filled wetland area.

Mr. Boule and Mr. Raedeke are going to walk the wetlands site and give us their input regarding a restoration plan. We will be selecting one of these gentlemen's services as Biologists after we receive their comments. Both gentlemen indicate they will be able to prepare the necessary sketches for your file.

Sincerely,

William C. Nelson

WCN:lev

Insurance Surety Bonds Consultants

-2255

Regulatory Functions Branch

Reference: 071-0YB-4-009379-C

Nelson, William

Gentlemen:

This letter is for your information and requires no reply. The Seattle District is investigating the unauthorized filling of wetlands adjacent to Evans Creek near Redmond, King County, Washington. The work is in apparent violation of the Corps permit authority under Section 404 of the Clean Water Act.

The investigation has disclosed the property owner, and responsible party, to be Mr. William Nelson of Redmond, Washington. Seattle District has directed Mr. Nelson to do no further filling in wetlands adjacent to Evans Creek at this site. Enclosed are copies of our Stop Work Letter, Field Investigation Report, and the owner's comments. Mr. Nelson has commissioned the firm, Shapiro and Associates, to prepare an environmental report on the impact of the unauthorized fill and possible mitigation measures.

This information is meant to be advisory only. If appropriate, we will solicit comments from concerned agencies at a later date. For additional information, please contact Mr. Michael Bowlus, telephone (206) 764-3495.

Sincerely,

Warren E. Baxter Chief, Regulatory Functions Branch

Enclosures

WRIGHT OF RF
BAYES OP-RF/s/
OP-RF File

APR 27 1984

Regulatory Functions Branch

Mr. William Nelson 20031 Northeast 80th Redwond, Washington 98052

Reference: 071-0YB-4-009379-C

Nelson, William

Dear Mr. Nelson:

A recent inspection of activities along Evans Creek on your property near Redmond, King County, Washington, has disclosed that you have placed fill on wetlands adjacent to waters of the United States without a Department of the Army permit. This work is considered to be in violation of Federal law.

The following laws, extracts enclosed, apply to the unauthorized work:

Clean Water Act.

a. Section 404 prohibits the placement of any fill or dredged material in waters of the United States and adjacent wetlands not authorized by Department of the Army permit.

The term "wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The Corps of Engineers has the responsibility for determining whether a specific wetland area is within Section 404 jurisdiction.

b. Section 309 cites penalties for violation of Section 404.

You are directed to do no further filling on wetlands adjacent to Evans Creek at this site. To assist in the evaluation of this violation, the following information is requested:

- a. As-built sketch of the work within Corps jurisdiction.
- b. Who did the work? If a contractor, please furnish name, address, and telephone number.
 - c. Date when the work started.

- d. Reasons why the work was started before obtaining a Department of the ℓV Army permit.
 - e. Property ownership at time of construction.
 - f. Primary purpose of the fill.
- g. Practicable alternatives available that would not involve filling of wetlands.

Your sketch should be drawn to scale and include plan, elevation and section views of the work. The location of the fill in relation to your property lines and the original landward limits of the adjacent wetlands should be shown on the plan view. This information must be furnished within 30 days from the date of this letter.

Your comments will be beneficial in resolving this matter. If you have any questions concerning your reply, please contact Mr. Michael Bowlus, telephone (206) 764-3495.

Sincerely,

LTC REA

Norman C. Hintz Colonel, Corps of Engineers District Engineer

Enclosure

CERTIFIED MAIL
No. 907RETURN RECEIPT REQUESTED

FIELD INVESTIGATION REPORT

Ref	eference No. <u>071-078-4-009379</u> Ir	vestigation 20 MAR 84	O915 PST
		(Date; T	ime)
1.	Investigator: M. Bowlus (Name)	COE - NPSOP-R (Agency)	(-
	•	(Agency)	
2.	Work Reported by: Investigator (Name)		
	(Name)	(Date)	-
	. (Address)	(Phone)	
		•	
3.	Owner's Name, Mailing Address and Phone	:: William C. Nelson	
_2	20031 N.E. 80th Redmond, WA 98121	home: (206) 885-2009 wo	ru: (206) 583-23 or
4.	Location of Work: Waterway Evans Cr	eek . Sammamish River	
	Latitude 47°40'15"		
	Address SW/4 d NW/4 d Sec 8. Ta	:5 N, NOE	
	County King In/Near Re	dmond Washington (City or Town & State)	
_			
5.	*	• •	
	[-] On-Site [] From Adjacent P	roperty [] Boat [] Aircraft
6.	Weather Condition and Wave Height: Coo	l é cloudy	
7.	MHIIW or Ordinary HW and Datum: N/A -	wetlands	
8.	Observed W. S. El.: N/A	Time of Observation:_	N/A
9.	Description of Work (Describe each sepa etc.; percent complete; and date each w		ad, floats,
	Approximately 5,500 cubic youds	d earthen fill material	has
bе	een placed in wetlands adjacent to Eva	· · · · · · · · · · · · · · · · · · ·	
	without benefit of a Department of the Arm		
	completed.		
. –			
		<u></u>	

10. Owner's Statement Mr. & Mrs. Nelson both stated that they were importing
fill to create pasture for their ranch.
11. Name, Mailing Address and Phone of Persons and/or Contractor Doing Work
Unknown
12. Witness, Name, Mailing Address and Phone:
13. Witness, Statement:
14. Directives Given to Owner and/or Contractor Doing the Work in Water Area:
I informed them of the Corps responsibilities under Section 404 of the
Clean Water Act. and supplied them with a copy of connect resulations
15. Other Pertinent Remarks of Investigator
16. Attachments: Sketch, sheet(s); Photos) ; Calculations, sheet(s
List other Aerial enlargements, Wetland Determination, King Co wetland into, Soils into.
FIRE OFHET HEXIST ENISAGEMENTS MEHENT DESCAMINSTRAM CHEEN WELL THE COLLEGE WENT STATES
22 1 190/ VA. (() C . ()
Date Windstart Continue Signature of Investigator

NOTE: Sketch & photos of work are required attachments with this report.

B - WETLAND CHECKLIST

Reference No.: 071-078-4-00 9375	Investigation:	20 NAR 84 , 0915 PST (date, time)		
1. Site Description: Mr. f Mrs	. Melson run a thornwelter.	creeding ranch. The worm		
is taking place in lowlands at the t				
flood olain of Evans Creek.	<u>.</u>			
2. Significant Resources in Ar	ea: Anadromous lich	in Evans Geer (Salmonids)		
3. Physical/Chemical Character	istics:			
a. Streamflow >5 c.f.s.	c. Acreage of lake and	adjacent wetland		
b. Salinity N/A	d. Soils hydric - :	series Seattle Muck		
e. Hydrology - Seasonally	to permanently floo	ded		
f. Separated by dikes, rai	lways, tidegates, other	<u>n/a</u>		
4. Biological Characteristics:				
a. Vegetation.				
- ~95 percent wetland veget.	ation species			
- Predominant associations/	communities (indicate on	drawings)		
Alda / Salmonberry : Sorver / Cod	er ! Reed Canary arass / Col	>u s 4		
- Species list: Location Key: east drainage (1); south drainage (2); west drainage (3)				
Rubus spectabilis (1)	Alnus rubra (1)	Phalaris arundinacea (3)		
Thuis aliesta 12	Cornus sp. (1)	Veronica so. 3		
Conanine sormentosa 1.2	Inneus effusus 1,3	Soiraea doudasii (13)		
	Gaultheria Shallon (2)	Salin so. 3)		
Rumex 60.	Osendetenos menziecii(2)	Picen eitkensis		
Lije Chilum smericenum DD	Atheriem tilly-Semina 3			

· · · · · · · · · · · · · · · · · · ·		
- Species list:		-
(2) buteos	numerous crows .	numerous passerines
(1) accipiter	(3) Killdeer	deer track
numerous waterfowl		
5. Classification System, p	er USFWS: Palustrine Co	ompiex from emergent
wet meadow to forested swamp	·	
6. Is the project area cons	idered an <u>adjacent</u> wetla	nd? Yes Why? The
methand is continuous with	Evans Creek a water	of the United States.
	· · · · · · · · · · · · · · · · · · ·	5,6,00
7. Conclusions, Corps Juriso	liction: The wetlon	d is within the
regulatory jurisdiction of t	the Case of Engineers e	under Section 404
of the Clean Water Act.	U	
1		
4 April 1984	and Opposite)
Date	Nichael f. C Signature of 1	Investigator
	,	
9 Opin 1984 Date	Samuel R	(nvironmental Specialist
, Date	'Signature of E	invironmental Specialist
•		
	Comments:	have not set non
	the site.	120 net get seen
~		

b. Fauna.

U. S. ARMY ENGINEER DISTRICT, SEATTLE

PROJECT NELSON, WILLIAM re: 071-078-4-009379

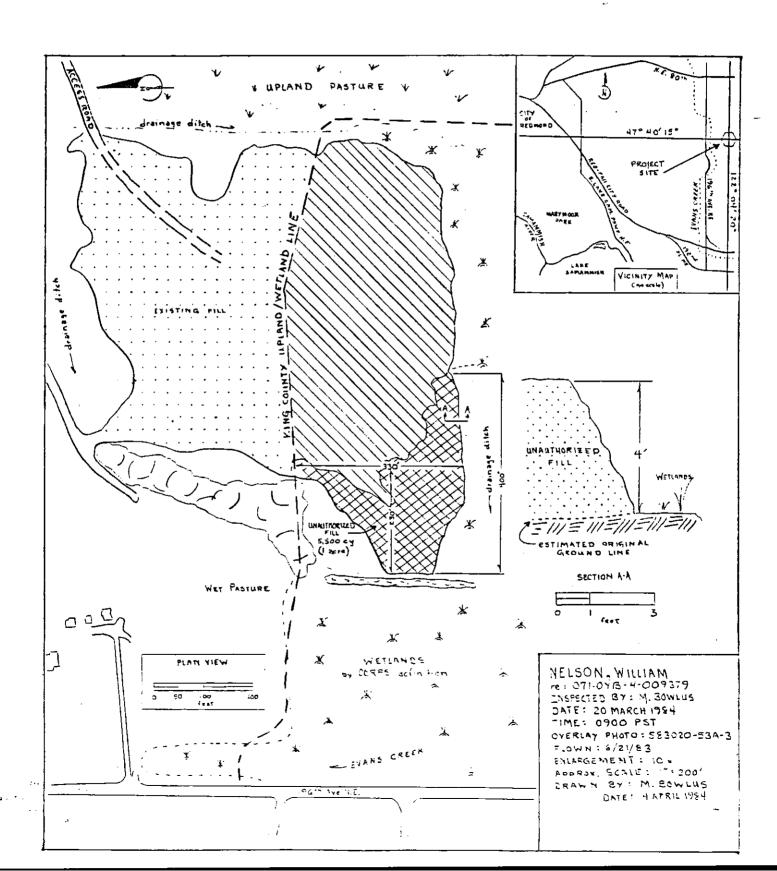
SUBJECT Alleged unauthorized filling of wetlands adjacent to Evans Creek

BY M. BOWLUS DATE + APR 84 CHECKED

PART

PAGE

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Insurance

MAILING LIST REVISED DRAWINGS AND VIOLATIONS

WASHINGTON

FEDERAL AGENCIES

U.S. Department of the Interior Fish and Wildlife Service Ecological Services 2625 Parkmont Lane Southwest, Bldg. B-3 Olympia, Washington 98502

National Park Services, PNR
External Services, Natural Programs
Westin Building
2001 Sixth Avenue
Seattle, Washington 98121

Send when violations only

Bureau of Indian Affairs Land Operations Post Office Box 3785 Portland, Oregon 97208

Director
Pacific Marine Center
National Ocean Surveys, NOAA
1801 Fairview East
Seattle, Washington 98102

National Oceanic and Atmospheric Administration National Marine Fisheries Service Environmental & Technical Services Division (F/NWR5) 847 NE 19th Avenue, Suite 350 Portland, Oregon 97232

Environmental Protection Agency E. E. B., M/S 423 1200 Sixth Avenue Seattle, Washington 98101

WASHINGTON STATE AGENCIES

Washington State Department of Ecology (3) Land Resources and Liaison Section PV-11 Olympia, Washington 98504

Washington State Department of Game Environmental Management Division 600 North Capitol Way GJ-11 Olympia, Washington 98504

WASHINGTON MAILING LIST

Washington Department of Fisheries Habitat Management Division Room 115, General Admin. Bldg. Olympia, WA 98504

Department of Commerce and Economic Dev. Industrial Development Division 101 GA Bldg. - AX-13 Olympia, WA 98504

Washington State Department of Natural Resources ATTN: Marine Land Management QW-21 Olympia, WA 98504

Washington State Parks and Recreation Commission 7150 Cleanwater Lane KY-11 Olympia, WA 98504

Washington State Social & Health Service Water Supply and Waste Section LD-11 Olympia, WA 98504

Design Engineer Washington State Department of Transportation Highway Administration Building KF-01 Olympia, WA 98504

Office of Archeology and Historic Preservation 111 - 21st Avenue West KL-11 Olympia, WA 98504

LOCAL GOVERNMENT

Surface Water Management Division King County Department of Public Works

Room 976

King County Administration Building

500 Fourth Avenue

Seattle, Washington 98104

ADJACENT PROPERTY OWNERS

INTERESTED PARTIES

1. Percy M. Washington & Associates Environmental Consultants 4001 N.E. 95th Street Seattle, WA 98115

2. Mr. Rob Pedersen 6819 Phinney Avenue North Seattle, WA 98103

(1 and 2 - Contractors for NOAA)



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RAW

CORROON & BLACK, INC.

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WCN/rmb

071-OYB-4-009379-C NELSON, WILLIAM

	Ltx typed 12 Apr 84
	Add your address in the "RETURN TO" space on reverse.
	(COMSULT POSTMASTER FOR FEES)
	1. The following service is requested (check one).
	Show to whom and date delivered
	Show to whom, date, and address of delivery.
	(The restricted delivery fee is charged in addition to the return receipt fee.)
	TOTAL S
	2. ARTICLE, ADDRESSED TO:
THE PROPERTY OF THE STREET, THE STREET,	Mr. Nelson
'n	4. TYPE OF SERVICE: ARTICLE NUMBER
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7	CENTIFIED COD
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G	(Always obtain signature of addressee or agent) I have received the article described above.
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AND	6. ADDRESSEE'S ADDRESS (Only if requested)
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	7s. EMPLOYEE'S
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APR 27 1984

Regulatory Functions Branch

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- b. Who did the work? If a contractor, please furnish name, address, and telephone number.
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Sincerely,

LTC REA

Norman C. Hintz Colonel, Corps of Engineers District Engineer

Enclosure

CERTIFIED MAIL
No. 907RETURN RECEIPT REQUESTED

MCCUTCHEN/OP-RI WALHT/OB-RI

ALGUARD/OP

FERRING/OC N

PEDERSENTEA

RAE

J. An & 4/8m

Ren Func Files

MFR

Reference: Nelson, William; 071.078-4-009379

Subject: Wetland Delineation, acceptance of King Co's

Upland/Wetland boundary

L. On 13 April 1984 S. Casne, M. Bowwas (OP-RF) and F. Weinmann

(EN-PLERS) inspected the wetlands noted by King County as

Evons Geen Wetland #15 (see wetland determination report). The

purpose of the site visit was to delineate an upland/wetland boundary

and to address the acceptability of utilizing the King County line

regarding the referenced file.

· L

- 2. The site inspection has revealed that the Corps delineation includes a larger area at the southern boundary the wetland and does not appreciably change that from Kny Co's delineation along the western and northern boundaries. However review of the eastern boundary discloses a transitional area that the Corps does not define as wetland Additional, intensive work would be required to delineate an upland/wetland boundary.

 At this time, for regulatry considerations, this area can only be shown as transitional.
- 3. Conclusion: The transitional area precludes the Seattle District from accepting a straight line uplant/wetland boundary of the eastern edge and prevents the utilization of the Kuy Co Line in the referenced file at this time.

Reference: NELSON, WILLIAM 071-048-4-009379

Subject: Meeting with Mr. William NELSON

- I. I met with Mr. Nelson at approximately 0930 PST per his request.

 We discussed the Corps regulatory involvement in wetlands under

 Section 404 of the Clean Water Act. We reviewed the file and he requested copies of the King County Wetland Determination and the Soil Survey information, which I gave him.
 - 2. Mr. Nelson questioned if he could continue farming the land or now, because it was declared a wetland, would permits be required. I pointed out the agricultural exemptions in the regulations and informed him that we did not regulate normal farming practices. He thought that he might consider hiring a consultant and I informed him that it could prove useful.
- 3. Mr. Melson said that he had imported the fill as part of his farming activities and if he was going to have problems continuing this practice then he would develop the property.

FIELD INVESTIGATION REPORT

Refe	rence No. 071-078-4-009379 Investigation 20 MAR 84 0915 PST (Date; Time)
	, , ,
1.	Investigator: M. Bowlus COE - NPSOP-RF (Name) (Agency)
	(Name) (Agency)
2.	Work Reported by: Investigator (Name) (Date)
	(Name) (Date)
	(Address) (Phone)
3.	Owner's Name, Mailing Address and Phone: William C. Nelson
_20	0031 N.E. 80th Redmond, WA 98121 home: (206) 885-2009 worx: (206) 583-23
4.	Location of Work: Waterway Evans Creek, Sammamish River
	Latitude 47°40'15" Longitude 122°04'20"
	Address SW4 d NW14 of Sec 8, T25N, RGE
	County King In/Near Redmond, Washington (City or Town & State)
	(City or Town & State)
5.	Method of Inspection:
	[1] On-Site [] From Adjacent Property [] Boat [] Aircraft
6.	Weather Condition and Wave Height: Cool & cloudy
7.	MHIIW or Ordinary HW and Datum: N/A - wetlands
8.	Observed W. S. El.: N/ATime of Observation: N/A
9.	Description of Work (Describe each separate work item, pier, bulkhead, floats, etc.; percent complete; and date each was commenced)
	Approximately 5,500 culvic yards of earthen fill material has
bee	n placed in wetlands adjacent to Evans Creek (trib. to Samannmish River)
	hout benefit of a Department of the Army permit. The work is only partially
Co	noleted.
• —	

10. Owner's Statement Mr. & Mrs. Nelson both stated that they were importing
fill to create pasture for their ranch.
11. Name, Mailing Address and Phone of Persons and/or Contractor Doing Work
<u>Unknown</u>
Δηκήσων
12. Witness, Name, Mailing Address and Phone:
· · · · · · · · · · · · · · · · · · ·
13. Witness, Statement:
14. Directives Given to Owner and/or Contractor Doing the Work in Water Area:
I informed them of the Corps responsibilities under Section 404 of the
Clean Water Act, and supplied them with a copy of current regulations
15. Other Pertinent Remarks of Investigator
16. Attachments: Sketch, sheet(s); Photos; Calculations, sheet(s)
List other Aerial enlargements, Wetland Determination, King Co wetland info., soils info.
3 April 1984 Date Michael L. Bawlen Signature of Investigator
pate \ \Signature of investigator

NOTE: Sketch & photos of work are required attachments with this report.

B - WETLAND CHECKLIST

Rei	Ference No.: 071-07B-4-00 937	9 Investigation:	20 MAR 84, 0.915 PST (date, time)
1.	Site Description: Mr. f Mr.	s. Helson run a thoroughbo	and breeding ranch. The work
ís !	taking place in lowlands at the	toe of a hill. These lo	wlands appear to be the
	ed plain of Evans Greek.		·
2.	Significant Resources in A	rea: Anadromous fish	in Evans Geer (Salmonids)
3.	Physical/Chemical Character	ristics:	
	a. Streamflow >5 c.f.s.	c. Acreage of lake a	ed adjacent wetland
	b. Salinity N/A	d. Soils hydric -	Series Seattle Muck
	e. Hydrology seasonal	y to permanently flo	oded
	·	ilways, tidegates, other	
4.	Biological Characteristics		
	a. Vegetation.		
	- ~95 percent wetland veget	tation species	
	- Predominant associations,	communities (indicate d	on drawings)
	ildu / Salmonberry ; Soruce / Ced	er : Reed (anary arass / S	oft rush
	- Species list: Location K	1	
	Rubus socotabilis 1)	Alnus rubra ()	Phaloris arundinacea @ 3
	Thuis olicata (), @	Cornus Sp. ()	Veronica sp. 3
	Cenanthe sarmentosa 0,0	Juneus effusus 1,3	Soiraea duuslasii (1) (3)
	Kanunculus sp. (1), (2)	Gaultheria Shallon () (2)	Salix so. 3
	Rumex Sp. (1)	Pseudotsuga menziesii(2)	Picea sitkensis 1
	Lysichitum americanum OD	Athyrium filix-femina @	

	- Species list:		
	(2) buteos	numerous crows	numerous passerines
-	(1) accipiter	(3) Killdeer	deer track
5.	numerous waterfowl Classification System.	per USFWS: Palustrine C	omales from an avacuat
	meadow to forested swam	,	TOM CHENGER
6.	Is the project area co	nsidered an adjacent wetla	ind? Yes Why? The
MET	land is contiguous with	z Evans Creek, a weter	of the United States.
7.	Conclusions, Corps Jur	isdiction: The wetlan	d is within the
_ r e s 1	ulatory jurisdiction of	the Caps of Engineers	under Section 404
<u> </u>	the Clean Water Act.		
·	·		
4	Apr: 1 1984	Nichael P.	
	Date	Signature of	Investigator
	9 April 1984 Date	Signature of	Environmental Specialist
	•		
		Comments:	I have not get seen
		the site.	Jre

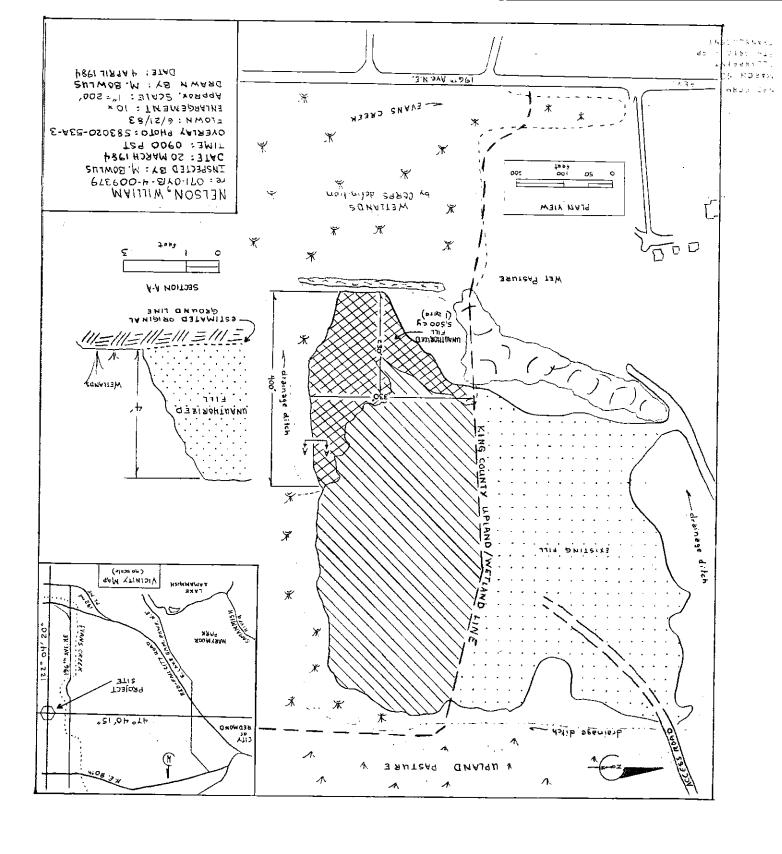
Fauna.

U. S. ARMY ENGINEER DISTRICT, SEATTLE
PROJECT NELSON, WILLIAM Te: 071-078-4-009379

SUBJECT Alleged unauthorized filling of wetlands adjacent to Evans Creek

BY M- BOWLUS DATE + ATR 84 CHECKED PART PAGE

ĴΈ





+ PHOTO The panning left to right southwest to west, standing (approx.) on King in wetland / unlend line + FHOTO * 2 - panning left to right southwest to southwest



NELSON, WILLIAM C.
re: OTHORR-4-009379
Date: 20 March 1924
Time: 0920 | UPAT
Investigated Dy: 70. Forecus

MFR

DATE: 23 April 84

Reference: Nelson, William: 071-043-4-009379

Subject: Wetland Delineation, acceptance of King Co's

Upland Wetland boundary

- 1. On 13 April 1984 S. Casne, M. Bowlus (OP-RF) and F. Welnmann (EN-PL-ERS) inspected the wetlands noted by King County as Evons Greek Welland #15 (see wetland determination report). The purpose of the site visit was to delineate an upland/wetland boundary and to address the acceptability of utilizing the King County line regarding the referenced file.
- 2. The site inspection has revealed that the Corps delineation includes a larger area at the southern boundary of the wetland and does not appreciably change that from Kny Co's delineation along the western and northern boundaries. However review of the eastern boundary dioclases a transitional area that the Corps does not define as welland. Additional, intensive work would be required to delineate an upland/wetland boundary. At this time, for regulating considerations, this area can only be shown as transitional.
- 3. Conclusion: The transitional evea precludes the Seattle District from accepting a straight line upland/wetland boundary at the eastern edge and prevents the utilization of the Kur Co line in the referenced file at this time.

DATE: 3 APR 84

MFR

Reference: NELSON, WILLIAM 071-048-4-009379

Subject: Meeting with Mr. William NELSON

- 1. I met with Mr. Nelson at approximately 0930 PST per his request. We discussed the Corps regulatory involvement in wetlands under Section 434 of the Clean Water Act. We reviewed the file and he requested copies of the King County Wetland Determination and the Soil survey information, which I gave him.
- 2. Mr. Nelson questioned if he could continue farming the land or now, because it was declared a wetland, would permits be required. I pointed out the agricultural exemptions in the regulations and informed him that we did not regulate normal farming practices. He thought that he might consider hiring a consultant and I informed him that it could prove useful.
- 3. Mr. Melson said that he had imported the fill as part of his farming activities and if he was going to have problems continuing this practice that he would develop the property.

FIELD INVESTIGATION REPORT

Ref	erence No. <u>071-078-4-009375</u>	Investigation 20 MAR 84	O915 PST
	Investigator: M. Bowlus (Name	•	, ,
	Work Reported by: <u>Investigator</u> (Name		
	(Addr	ress) (Pho	one)
3.	Owner's Name, Mailing Address and	Phone: William C. Nelson	
_2	0031 N.E. 80th Redmond, WA	98121 home: (206) 885-2009	WOTE: (206) 583-2300
4.	Location of Work: Waterway Eva	,	
	Address SW/Hol NW/Hol Sec	Longitude 122°04′20 8. T25 N. R6E	
		r Redmond, Washingto (City or Town & St	ate)
5.		acent Property [] Boat	[] Aircraft
6.	Weather Condition and Wave Height		
7.	MHINW or Ordinary HW and Datum: N		
8.	Observed W. S. El.: NA	Time of Observati	ton: N/A
9.	Description of Work (Describe eacetc.; percent complete; and date	ch separate work item, pier, bu each was commenced)	ılkhead, floats,
	Approximately 5,500 culic	yours of earthen fill mater	iei hes
be	een placed in wetlands adjacent	to Evans Creek (trib. To Sama	ommish River)
<u>_ W</u>	ith out benefit of a Department of the	ne Army permit. The work is	s only partially
	on sieted.		
			· .

10. Owner's Statement Mr. & Mrs. Relson both stated that they were importing	
fill to create pasture for their ranch.	
11. Name, Mailing Address and Phone of Persons and/or Contractor Doing Work	
Unknown	
12. Witness, Name, Mailing Address and Phone:	_
	_
	_
13. Witness, Statement:	_
	_
	_
	_
14. Directives Given to Owner and/or Contractor Doing the Work in Water Area:	_
I informed them of the Corps responsibilities under Section 404 of the	
Clean Water Act. and supplied them with a copy of current regulations	
15. Other Pertinent Remarks of Investigator	_
	_
	_
16. Attachments: Sketch, sheet(s); Photos) ; Calculations, sheet(_ s)
ist other Aerial enlargements, Wetland Determination, King Co wetland info, soils info.	
The state of the s	_
Date Miles L. Bowlin Signature of Investigator	
Date Signature of Investigator	

NOTE: Sketch ξ photos of work are required attachments with this report.

B - WETLAND CHECKLIST

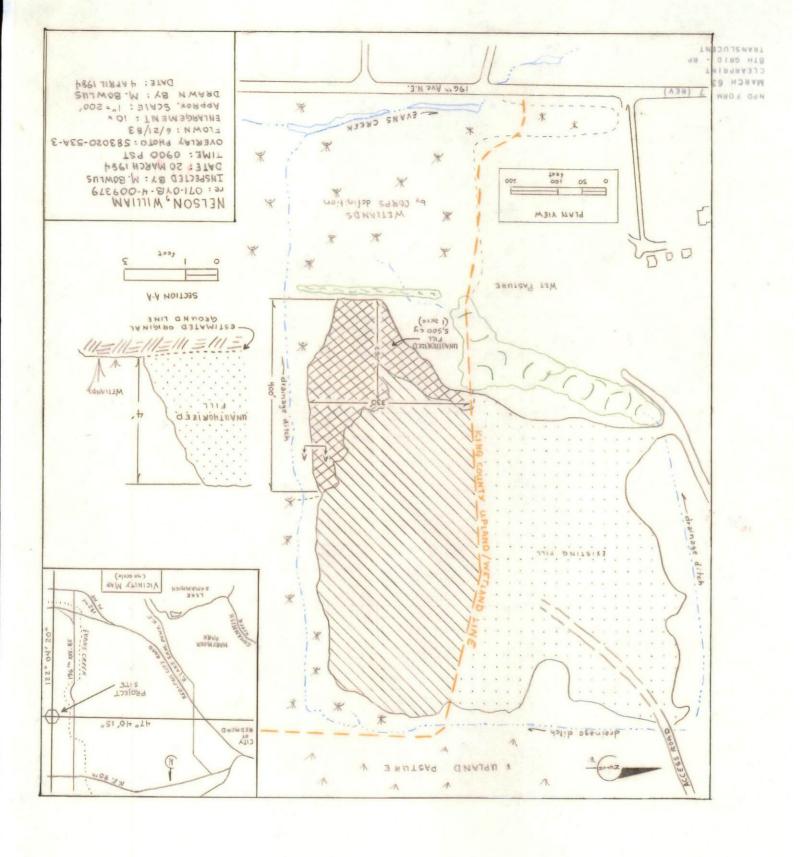
Reference No.: 071-07	B-4-009379	Investigation:	20 MAR 84 , 0915 PST (date, time)
1. Site Description	: Mr. & Mrs. Nelson	run a thoroughbree	breeding ranch. The work
	·	Ţ	lands appear to be the
flood plain of Evans			<u> </u>
2. Significant Reso	urces in Area:	Anadromous fish	in Evans Geen (Salmonids)
3. Physical/Chemica	l Characteristics	:	
a. Streamflow \geq	5 c.f.s. c. Ac	creage of lake and	adjacent wetland
b. Salinity $\sqrt{N/2}$	<u>A</u> d. s	soils hydric -	series Seattle Muck
•		ernamently floo	
4. Biological Chara	cteristics:		
- ~95 percent we	tland vegetation a	species	
- Predominant as	sociations/communi	ities (indicate on	drawings)
Alda / Szlmenberry	Spruce/Cedar ; R	leed Canary grass / Col	trush
		1	age 0; west drainage 3
Rubus spectabili	s () Alnus	rubra (1)	Phalaris arundinacea @ 3
Thuja plicata O	(Ornu	s sp. (1)	Veronica sp. (3)
Oenanthe sarmen	tosa O.O Juneus	effusus 0,3	Spiraea douglasii (1),(3)
Kanunculus sp.	0,0 Gaultho	eria Shallon (),(2)	Salix sp. 3
Rumer ED. () <u>Pseudo</u>	tsugo menziesii(2)	Picea sitkensis 1
Lysichitum am	ericanum OB Athyrius	n filix-femina Q	

b. Fauna.		
- Species list:		
(2) buteos	numerous crows	numerous passerines
(1) accipiter	(3) Killdeer	deer track
numerous waterfowl	_	
5. Classification System	m, per USFWS: Palustrine of	ompose from emergent
wet meadow to forested sw	9Wb	
6. Is the project area	considered an adjacent wetl	and? Yes Why? The
welland is contiguous w	ith Evans Creek, a wate	r of the United States.
	,	
7. Conclusions, Corps Ju	urisdiction: The wetlaw	ed is within the
	of the Colps of Engineers	
	•	MARK SECTION JAY
of the Clean Water Act	1	
4 April 1984	Michael ?. Signature of	Bowles
Date	Signature of	Investigator
(A DA - 1 1024)) (
9 april 1984 Date	Signature of	Environmental Specialist
•		
	Compatat	1 L + +
	-4/a i.t.	I have not get seen
	July Marie	yr c.

PROJECT NELSON, WILLIAM CE: OTI- OY 8-4-009379 U. S. ARMY ENGINEER DISTRICT, SEATTLE

SUBJECT Alleged unsuthorized filling of wetlands edjacent to Evens Creek

10 PAGE TAA9 CHECKED BY M. Bowlus DATE 4 APR 84









Melson, William 071-048-4-009379

Date: 20 MARSY Time: 0930 PST

Melson, William 071-075.4-009379

Date: 20 MAREY Time: 0930 PST picture shows

Tape rules in middle of picture fill to be 4 fect deep.

Z.



Photo Date: 5-80

WETLAND: Evans Creek 15

LOCATION: W 8-25-6, SE NE 7-25-6

6-30-81 INVENTORY DATE:

ACREAGE: 65.1

Approx. Scale: 1" =

Bear Creek COMMUNITY

PLAN AREA:

BASIN OR Cedar River

DRAINAGE:

CLASSIFICATION:	Fish and Wildlife Service	Common Name	
PF01	Palustrine, Forested, Broad- leaved deciduous (Oregon Ash)	Forested Wetland	
PF04	Palustrine, Forested, Needle- leaved Evergreen (Western Red Cedar)	Forested Wetland	
PEM5	Palustrine, Emergent, Narrow- leaved persistent (Reed Canary Grass)	Shallow Marsh	

NOTE:

The wetland edge shown above is approximate. In marshes, ponds or lakes, the transition more steaming water to unranda is usually clear. However, the edges of forested or scrub/shrub wetlands are less distinct. There, the change from wetland of ten occurs over a broad area called the "transition zone". For a discussion, see Wetland Plants of the County and the Porce Sound Lowishus and "Guidstines for King County Wetlands."

OBSERVED SPECIES: (refer to list in Appendix 1)

Trees: PS. AR. FL. PT, TP

Herbs: SN, GM, LA, MU, OS, PH, RR, TL, VA, VS

Shrubs: AC, RS, SX, SD, VP

Sedges/Rushes/Grass/Fern: SE, SM, AX, AF, CX, DA, EX, JE, JX, LM, PA

Birds: RH, TS, BS, AR, ST, SS

Mammals: DE

Fish:

Other: BF

RARE/ENDANGERED/THREATENED SPECIES: (refer to list in Appendix 2)

Recorded/Observed:

Potential:

SIGNIFICANT HABITAT FEATURES: Many snags.

OUTLET:

Type: Overland Undefined

Condition:

Outflow enters: Stream

POTENTIAL STORAGE: Existing Active: 366 ac. ft.

Potential Active: 177 ac. ft.

GENERAL OBSERVATIONS: Fill ongoing on Northeast end; cattle grazing in southern

end; Evans creek flows through wetland; part of Evans Creek in floodplain.

WETLAND EVALUATION SUMMARY:

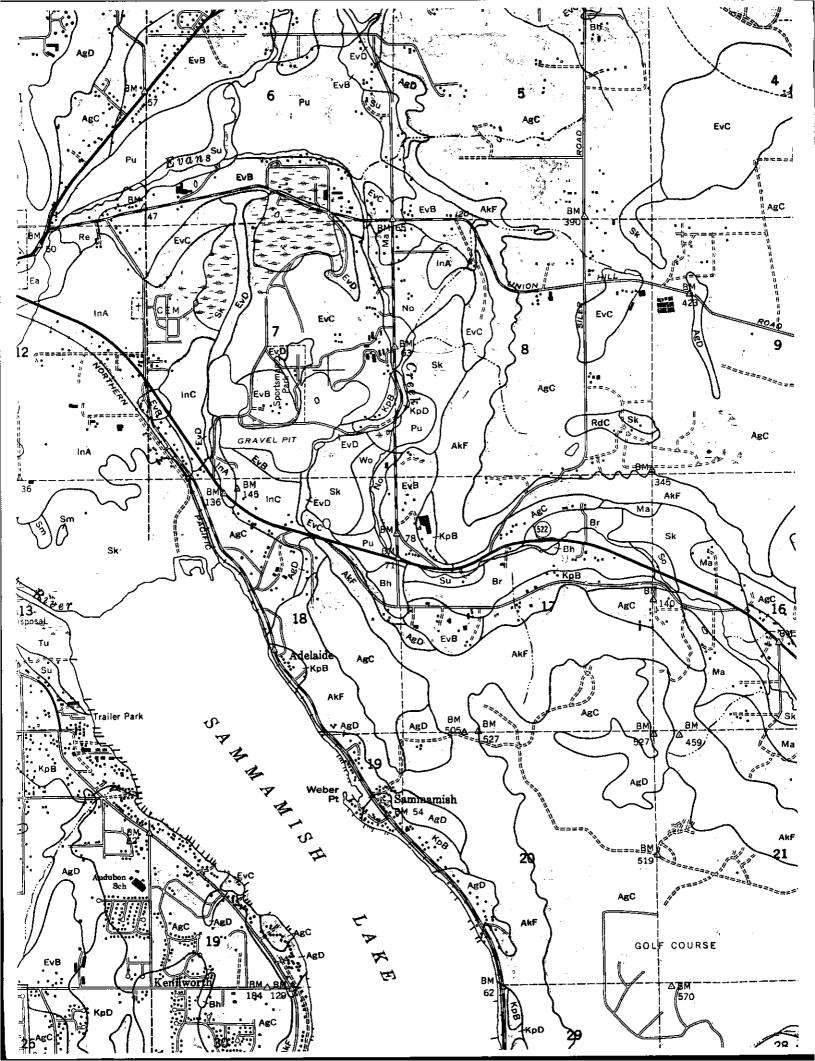
Data was collected in the five categories shown below. Within each category the data was evaluated to produce numerical values. Composite values for each category were produced in order to compare each wetland to other wetlands in its sub-basin and in King County. The result of that comparison was a percentile rank. The percentile is expressed on a scale of one hundred and indicates the percent of wetlands that scored equal to or below that particular site. For example, a percentile rank of 80 under sub-basin means that the watland scored equal to or better then 80 percent of all sites within the sub-basin for that evaluation category. NOTE: The percentile ranks are valid only within the individual avaluation category and are intended solely for reference and comparison. Rank

	Evaluation Category	(by percentile)	
		Sub-basin	County-wide
Hydrology:	runoff storage potential, water quality, potential for minimizing damage	90	95
Biology:	in downstream areas quality of habitat, abundance and diversity of plant and animal species	88	83
Visual:	diversity and contrast of wetland and surrounding vegetation,	9 <i>7</i>	99
Cultural:	surrounding landforms types of access, proximity to schools/institutions, overall environmental quality	100	85
Economie:	presence of agriculture/peat extraction, anadromous or game fish, game birds or mammals of commercial value	100	82

WETLAND RATING:

Each wetland was assigned one of three possible wetland ratings. The wetland ratings were determined by examining the scores of selected inventory tasks, specific data or percentile ranks for individual evaluation categories. The criteria used to assign the wetland ratings are described in the Introduction. For each rating a number of specific guidelines for new development in or adjacent to wetlands were prepared. The guidelines are intended to assist in carrying out King County's Sensitive Areas Ordinance and other wetland policies. They are included in a separate report titled "Guidelines for King County Wetlands",

Wetland Rating: 2



Soils

SK Scattle much

AKF Alderwood! Kilotay svils, very steep

KPD Ritsop sult loan, 15-30 % slyres

KPB ", 2-8 % slyres

Pu Puget silty day loan

EVB Corrett jurilly andy loan

EVC "

WO hoodinable sill Can

) 6 (

50 B

2 () 3 (

(NEM) DISCHARGE AND/OR STRUCTURE.

STRUCTURE OR TYPE OF WORK (FI)

(NELSON /ILLIAM

CONTRACTOR

LAU 1 (44)

PROCESSOR

(fi71=1Y3-4=019379)

COMKROBLD